IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 174 of 2002 (S/B)

Chandan Singh & others .....Petitioners

Versus

1. Managing Director
   Kumaon, Mandal Vikas Nigam Ltd.
   Oak Park, Nainital.
2. Factor Manager
   Parvat Plastic (A unit of Kumaon Mandal Vikas Nigam Ltd.), Kathgodam
   District Nainital. .....Respondents.

Shri M.C. Kandpal, learned counsel for the petitioner.
Shri U.K. Uniyal, learned counsel of the respondents.

Hon'ble Prafulla C. Pant, J.

Learned counsel for the parties are present.

2. By means of this petition, the petitioners, who are engaged as labourers on daily wages with Kumaon Mandal Vikas Nigam Ltd. have sought their regularization in service.

3. In view of the principle of law laid down in ***Secretary, State of Karnataka Vs. Uma Devi, reported in (2006) 4 Supreme Court Cases, Pg. 01,*** wherein it has been held that the workers on daily wages or the persons who get employed without undergoing regular selection process, should not be permitted to be absorbed or regularized against the constitutional scheme of public employment, this Court is not inclined to issue direction to regularize services of the petitioners, as such, the petition is liable to be dismissed.

4. The writ petition is dismissed. Interim order dated 23.03.2002, stands hereby vacated. (All pending applications also stand disposed of).

Dt. 04.12.2006 **(Prafulla C. Pant, J.)**
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Delay Cond. App 1742 / 07
Review App. No. 716 /07
In
W.P. No. 174 of 2002 (S/B)

Hon. P. C. Pant, J.

Heard leaned counsel for the parties.

This is application M.C.C. No. 1742 of 2007 for condonation of delay in moving the review / recall application M.C.C. No. 716 of 2007.

The application for condonation of delay is allowed. The delay is condoned.

Also, heard on review application M.C.C. No. 716 of 2007, which is directed against the order dated 04.12.2006, passed by this Court, in Writ Petition No. 174 of 2002 (S/B).

From the perusal of said order it appears that keeping in view the principle of law laid down in ***the Secretary State of Karnataka Vs. Uma Devi; reported in (2006) 4 Supreme Court Cases Pg. 01,*** the writ petition was dismissed, as the petitioners were admittedly workers, working on daily wages, who have sought their regularization in service. This Court does not find any error apparent on the face of record, which requires recalling of said order.

Accordingly, the review application is rejected.

(P.C.P., J.)
29.06.2007

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